

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>OMORFIA VENTURES, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 3:19-cv-0794</b>
	)	<b>District Judge Richardson</b>
<b>v.</b>	)	<b>Magistrate Judge Newbern</b>
	)	
<b>POSH BRIDAL COUTURE, LLC, MARIE</b>	)	
<b>SUCHY, and DEAN SUCHY,</b>	)	
	)	
<b>Defendants.</b>	)	

**MOTION TO WITHDRAW**

Pursuant to Middle District of Tennessee Local Rule 83.01(g), Sean C. Kirk, and the law firm of Bone McAllester Norton PLLC (“Counsel”), request that this Court allow them to withdraw as counsel for Defendants, Posh Bridal Couture, LLC Marie Suchy and Dean Suchy (“Defendants”). As reasons for the request, Counsel states that Defendants have, under Rule 8, RPC 1.16 of the Supreme Court Rules, Rules of Professional Conduct, (a) failed substantially to fulfill an obligation to the lawyer regarding the lawyer’s services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled, with said obligation still unfulfilled; and/or (b) representation will result in an unanticipated and substantial financial burden on the lawyer or has been rendered unreasonably difficult by the client. Further, other good cause for withdrawal exists. The undersigned certifies that he has given written notice to the client of the attorney’s intention to withdraw from the case, as evidenced by redacted notice attached hereto as Exhibit A. Said notice was first provided to the undersigned on March 30, 2020, at least fourteen (14) days prior to the filing of this motion, and repeatedly provided after such date, as evidenced in the notice.

Withdrawal of Counsel will not unnecessarily delay trial or any other pending matters in the case. The parties have made all initial disclosures required by Rule 26(a) of the Federal Rules of Civil Procedure. The written discovery deadline in the case does not arise until January 2021. The target trial date does not arise until January 2022. To the extent Counsel is allowed to withdraw, Counsel will cooperate with the Defendants to provide them notice of the Court's ruling on the pending dispositive motions and the scheduling of any pertinent pretrial deadlines that may be agreed to at the initial case management conference. The undersigned requests that to the extent withdraw is allowed, that Defendants be allowed 30 days from entry of an order granting withdraw to obtain new counsel, with Defendants required to advise the Court of said substitution or their intent to proceed *pro se* no later than 30 days from entry of an order granting withdrawal. Finally, Counsel requests that except as it relates to the Court's ruling on the pending dispositive motion, that all other matters, including, but not limited to, all relevant disclosures and/or discovery in the case be held in abeyance for 30 days from entry of an order granting withdrawal.

Respectfully submitted,

/s/ Sean C. Kirk

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing business entity disclosure form was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system this 13th day of April 2020, to the following:

J. Cole Dowsley, Esq.  
1801 West End Ave., Suite 1550  
Nashville, TN 37203

Notice will also be sent by United States First-Class Mail, postage prepaid, to the following this 13th day of April 2020, to the following:

Posh Bridal Couture, LLC  
c/o Marie Suchy, registered agent  
for service of process  
810 Lake St. E.  
Wayzata, Minnesota 55391

Marie Suchy  
1205 Tamarack Dr.  
Long Lake, Minnesota 55356

Dean Suchy  
1205 Tamarack Dr.  
Long Lake, Minnesota 55356

/s/ Sean C. Kirk  
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Sean C. Kirk